



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Short, et al.

Art Unit : 1638

Serial No. : 10/021,723

Examiner : Ashwin D. Mehta, Ph.D.

Filed : December 12, 2001

Title : RECOMBINANT PHYTASES AND USES THEREOF

Director of the US Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Responsive to the Election/Restriction Requirement Office Action mailed December 19, 2003, Applicants respectfully request entry of the amendment and consideration of the remarks set forth herein. A response was initially due January 19, 2004. Applicants herein submit a petition for a one month extension of time to February 19, 2004, under 37 C.F.R. §1.136, with the appropriate fee under 37 C.F.R. §1.17. Accordingly, this response is timely filed.

Amendment to the claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 10 of this paper.

The following documents are enclosed herewith:

- Transmittal letter;
- Appendix A (SEQ ID NO:11 and SEQ ID NO:3 comparison)
- Postcard

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 19, 2004

Date of Deposit

Signature

Jeanne Amour

Typed or Printed Name of Person Signing Certificate